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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900



Attorney Docket No. 38005-0087

In re patent application of

Heinrich HEIDTMANN et al.

Group Art Unit: 1642

Serial No. 09/256,237

Examiner: M. Davis

Filed: February 24, 1999

For: NUCLEIC ACID CONSTRUCT FOR EXPRESSING ACTIVE SUBSTANCES  
WHICH CAN BE ACTIVATED BY PROTEASES AND PREPARATION AND USE

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LD  
11-20-02

**Amendment and Request for Reconsideration under 37 CFR §1.116**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants herein respond to the Final Office Action mailed May 7, 2002 (Paper No. 24). Applicants also petition for a three-month extension of time, and provide the requisite fee herewith. Please debit any underpayments, or credit any overpayments, to firm deposit account no. 08-1641. Please amend the application as follows:

**IN THE SPECIFICATION**

Attached is an amendment to Figure 3, which corrects an inadvertent typographical error.

**IN THE CLAIMS**

Please amend the claims to read as follows:

25. (Fourth Amendment) A polypeptide encoded by a nucleic acid construct comprising the following nucleic acid sequences in the following order:
- at least one promoter element operably linked to;

please see to  
7/1/03  
05/10/03